

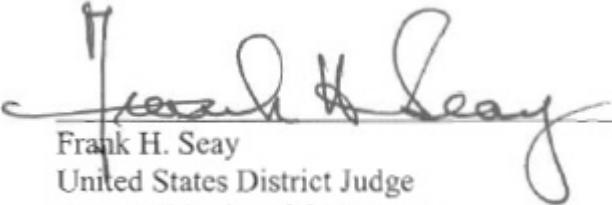
**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

PAUL KOZEL, an individual, d/b/a THE)
WRANGLERS CLUB,)
)
 Plaintiff,)
)
)
vs.)No. CIV-08-471-FHS
)
JIM DUNCAN, individually and in)
his official capacity as Pushmataha)
County Sheriff,)
 Defendant.)

ORDER

Defendant Sheriff Jim Duncan appealed the order of this court entered on July 28, 2010, granting in part and denying in part his motion for summary judgment. On May 25, 2011, the Tenth Circuit Court of Appeals entered a mandate directing this court to enter further judgment for defendant Sheriff Jim Duncan on his claim for qualified immunity in his individual capacity as to Plaintiff's First and Fourth Amendment claims. Accordingly, this court grants the defendant Sheriff Duncan's motion for summary judgment to the extent he claims qualified immunity in his individual capacity on Plaintiff's First and Fourth Amendment claims.

IT IS SO ORDERED this 6th day of June, 2011.


Frank H. Seay
United States District Judge
Eastern District of Oklahoma